

1 The Honorable Robert S. Lasnik  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

9 JASON MOOMJY, Individually and On Behalf  
10 of All Others Similarly Situated,

11 Plaintiff,

12 v.

13 HQ SUSTAINABLE MARITIME  
14 INDUSTRIES, INC., NORBERT SPORNS  
and JEAN-PIERRE DALLAIRE, *et al.*

15 Defendants.

16 Case No. 2:11-cv-00726-RSL

17 CLASS ACTION

18 STIPULATION AND [PROPOSED]  
19 ORDER EXTENDING TIME TO FILE  
BRIEFING ON MOTION TO DISMISS

20 NOTE ON MOTION CALENDAR:

21 May 24, 2012

22 WHEREAS Defendants in this case filed motions to dismiss (Dkt. Nos. 109, 111, and  
23 115) on February 7, 2012;

24 WHEREAS on March 13, 2012, the Parties filed a Stipulation and Order extending the  
25 time for Lead Plaintiff to file its opposition to those motions from March 30, 2012 until May 25,  
26 2012 (and for Defendants to file their Replies from April 25, 2012 to June 25, 2012), because the  
Parties had scheduled a mediation session in New York on April 24-25, 2012;

27 WHEREAS the Parties held that mediation session in late April with Mediator Jed  
28 Melnick, and there are continuing conversations to see if the Parties can reach a negotiated  
settlement;

29 STIPULATION AND [PROPOSED] ORDER TIME  
30 TO FILE BRIEFING ON MOTION TO DISMISS  
(11-726-RSL) – Page 1  
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1        WHEREAS the Parties hope to conserve resources spent litigating this action, and the  
2 mediation process may still possibly result in a negotiated settlement to this litigation;

3        WHEREAS briefing on the motions to dismiss will become moot if this lawsuit is settled,  
4 provided that any such settlement is approved by the Court;

5        WHEREAS the Parties believe it is worth one final extension of three weeks to determine  
6 if this case can be resolved;

7        NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among  
8 the Parties that:

9        1.       The time for Lead Plaintiff to file an opposition to the motions to dismiss should  
10 be extended from May 25, 2012 until June 15, 2012.

11        2.       The time for HQ Sustainable Maritime Industries, Inc., Norbert Sporns, Jean-  
12 Pierre Dallaire, Ladenburg Thalmann & Co. and Roth Capital Partners, LLC to file replies in  
13 further support of their motions to dismiss should be extended from June 25, 2012 to July 18,  
14 2012.

15        3.       The motions to dismiss should be re-noted for July 20, 2012.

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18        DATED this 24th day of May, 2012.

19        KELLER ROHRBACK L.L.P.

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## [PROPOSED] ORDER

IT IS HEREBY ORDERED that the deadline for the Lead Plaintiff to file an opposition to the currently pending motions to dismiss the consolidated complaint in this action (Dkt. Nos. 109, 111, and 115) is extended until June 15, 2012. The Defendants who filed these motions to dismiss shall have until July 18, 2012 to file any replies in further support of these motions. The motions to dismiss shall be re-noted for July 20, 2012. There shall be no further extensions on briefing of the motions to dismiss.

DATED: This \_\_\_\_\_ day of \_\_\_\_\_, 2012.

THE HONORABLE ROBERT S. LASNIK  
UNITED STATES DISTRICT JUDGE

## CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2012, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following ECF participants:

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